



US Army Corps  
of Engineers

Detroit District

# Joint Public Notice

Applicant: Soo River Marine, LLC, Michael Hetherington

In Reply Refer To: Corps File No. LRE-2007-138-35  
MDEQ File No. 06-17-96

Date: June 11, 2007  
Expires: July 1, 2007

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## **Proposed Marina Renovation & Expansion in the St. Mary's River at Bruce Township, Chippewa County, Michigan**

**Applicant:** Soo River Marine, LLC, Michael Hetherington, 2296 Williamston Road, Williamston, MI, 48895.

**Project Location:** in the lower western portion of the St. Mary's River between Lake Nicolet and Munuscong Lake, Section 33, Township 45N, Range 2E, Bruce Township, Chippewa County, Michigan. The site is located southeast of Barbeau, Michigan and south of 15 Mile Road, at 17973 Scenic Drive.

**Federal Authority:** The applicant has applied for a Department of the Army permit under Section 404 of the Clean Water Act.

**State Authority:** Section 401 of the Clean Water Act requires that all discharges of dredged or fill material must be certified by the State as complying with applicable effluent limitations and water quality standards. This public notice serves as an application to the State of Michigan Department of Environmental Quality, Land and Water Management Division (MDEQ) and constitutes its public notice as required by Section 401 of the Act. Coastal Zone Management Certification (or waiver thereof) is required from the State of Michigan if this proposed activity would occur within the designated coastal zone.

**Project Description:** As shown on the attached plans, the applicant proposes to renovate an existing boat ramp, remove/replace an existing dilapidated pier system, and add new piers for the purpose of renovating and expanding a small private marina. Historically, the existing facility provided approximately 16 boat slips and a boat launch ramp. The renovated and improved facility will include a boat launch ramp at the location of, and with similar dimensions to, the historic ramp; a new and expanded pier system in a location proximate to the historical pier system; and an additional pier system at a new location. This facility will provide a total of 17 boat slips and 262 linear feet (LF) of broadside dockage, and will accommodate 27 recreational watercraft. The applicant proposes the following activities:

### **DEBRIS REMOVAL:**

- Remove 130 LF of existing piers and attendant pilings located north and east of the jetty.
- Remove debris in-water and along the property shoreline.

**Project Description (continued)**

**BOAT RAMP RENOVATION:**

- Mechanically dredge/excavate approximately 60 CY of material from an existing 30-foot x 16-foot wide boat launch area and 23-foot x 16-foot wide approach area in a wedge-shaped cut with a minimum depth equivalent to the existing surface at the landward end of the cut (approximately 5-1/2 feet above the Low Water Datum (LWD) elevation of 578.0 IGLD 85) and maximum depth of approximately 5-1/2 feet below LWD at its waterward end.
- Within the dredged/excavated area, pour a 30-foot x 16-foot by 6-inch (approximate) concrete slab in-place and place 6-inch thick pre-formed concrete slabs in a single layer waterward of the new slab, to form the bottom of the renovated boat ramp. Install a 25-foot (approximate) retaining wall on each side of the ramp.

**PIER SYSTEM REPLACEMENTS & EXPANSION**

- North and adjacent to the launch ramp, seasonally install/remove two 40-foot long x 4-foot wide open pile piers with 4-foot by 10-foot access ramps perpendicular to the existing shoreline and spaced approximately 18 feet apart. The northernmost pier will provide two boat slips. The southernmost pier will provide broadside dockage for launch ramp watercraft.
- South and adjacent to the new ramp, install a 173-foot x 4-foot open pile transverse pier. Seasonally install/remove (3) - 20-foot x 4-foot floating finger piers spaced approximately 30 feet apart and perpendicular to the waterward end of the north side of the new transverse pier. These piers will provide 6 boat slips and 54 feet of broadside dockage.
- Extending waterward from the point of the existing jetty, seasonally install/remove a 120-foot x 4-foot open pile floating pier with an 8-foot wide by 88-foot long “T” at its waterward end. Seasonally install/remove (4) - 20-foot by 4-foot wide floating finger piers, spaced 16 feet apart, perpendicular to the north side of the main seasonal pier. Install 5 mooring pilings at the waterward end of and equidistant between the finger piers. The finger piers will provide 9 boat slips. The remainder of the pier will provide 208 feet of broadside dockage facilitated by pier-mounted cleats (approximately 4 per 20 feet).
- Seasonally install/remove electrical utility/lighting to the floating pier system off the jetty.

Removals, dredging and construction activities are expected to occur over a two season period (May-August). Seasonal pier installation/removal is expected to be conducted in late spring and late summer and require up to 2 weeks during each period. Dredging would be conducted using a backhoe from shore. Dredged material and debris from structure removal would be disposed upland on-site or at a licensed landfill, as appropriate. Shoreline debris will be transported to a landfill for disposal. Pier and mooring pilings would be driven using a hydraulic post driver from land and from a barge.

**Other Authorizations:** The applicant has either received or requested the following governmental authorization:

Michigan Department of Environmental Quality - NREPA, 1994 PA 451, as amended, Part 301, Inland Lakes and Streams

**Comments:** We are publishing this notice in compliance with Title 33 Code of Federal Regulations Parts 320-330 and the Michigan statutes listed above. Comments on the project should be submitted in writing and postmarked or delivered by the expiration date of this public notice. Comments of a positive or negative nature may be submitted. All responses must refer to file number LRE-2007-138-35. We will interpret a lack of response as meaning that there is no objection to the permit application. Comments should be filed with:

a. Wally Gauthier, Chief, Permit Evaluation Branch B, Regulatory Office, Detroit District, Corps of Engineers, P.O. Box 1027, Detroit, Michigan 48231. Comments may be e-mailed to: colette.m.luff@usace.army.mil, but must include a name and mailing address.

b. State permit and/or water quality certification comments should be filed with the Michigan Department of Environmental Quality (MDEQ), Land and Water Management Division, P.O. Box 30204, Lansing, Michigan 48909.

After the closing of the response period, the Corps and the MDEQ will exchange timely comments received.

**Public Hearing:** Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

**Evaluation:** The decision whether to issue the Department of the Army permit and State permits will be based on independent conclusions of the Corps of Engineers and the Michigan Department of Environmental Quality, respectively, after evaluation of the probable impact of the proposed activity on the public interest. These decisions will reflect the national/state concerns for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact

Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

This activity involves the discharge of dredged or fill material into waters of the United States. Therefore, the U.S. Army Corps of Engineers' evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator of the Federal Environmental Protection Agency, under the authority of Section 404(b)(1) of the Clean Water Act.

**Endangered Species:** We will review this application for the potential impact on threatened or endangered species pursuant to Section 7 of the Endangered Species Act as amended. We are not aware of the presence of any listed species or critical habitat at or in the vicinity of the proposed worksite. We invite information and/or comments regarding the potential presence of, or impacts to, any listed species or critical habitat.

**Cultural Resources:** The District Staff has reviewed existing information on historic properties potentially affected by the proposed project, including the National Register of Historic Places. There are no recorded historic properties within the permit area. There are no recorded historic properties within the permit area. The permit area has been so extensively modified by modern development that little likelihood exists for the proposed project to impinge upon an undisturbed historic property. The District Engineer invites responses to this Public Notice from federal, state and local agencies, historical and archaeological societies, Indian tribes, and other parties likely to have knowledge of or concerns with historic properties in the area.

**Additional Information:** Questions concerning this application may be directed to Colette Luff at the Corps of Engineers address listed above, or telephone number (313) 226- 7485.

FOR THE DISTRICT ENGINEER:

Steven E. Chester  
Director  
Department of  
Environmental Quality

Wally Gauthier  
Chief, Permit Evaluation Branch B  
Regulatory Office

NOTICE TO POSTMASTERS:

We request that the above notice be conspicuously and continuously posted for the time period of this notice.